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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 001600

SIPDIS

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TAGS: PREL PGOV SA

SUBJECT: MOMENTUM BUILDS TO DELAY SECURITY AGREEMENT

REFERENDUM

REF: A. BAGHDAD 1542
¶B. BAGHDAD 1520
¶C. BAGHDAD 1498

Classified By: Acting Political Counselor John Fox for reasons 1.4 (b) and (d).

¶1. (C) Summary: Momentum for a Security Agreement (SA) referendum in July is diminishing, with Iraqi political leaders telling us a consensus favors delaying action on a referendum law. The Iraqi High Electoral Commission (IHEC) stated that it needs 60 days to organize a referendum following enactment of a law and budget, which would make it impossible for the vote to take place by July 31. It is still difficult for politicians - particularly Sunni Arabs - to publicly oppose the referendum, but our sense is that there is little appetite to move forward now with the required legislation. However, there is still talk of holding the referendum concurrently with national elections in January. End Summary.

¶2. (C) Following the Cabinet's June 9 statement expressing the desire to postpone the SA referendum, momentum appears to be building for a delay. Deputy Speaker of Parliament Khalid al-Attiya told us June 16 that there is a consensus among Iraqi political blocs to delay action on a referendum law until after June 30. That would permit the government to claim that the U.S. withdrawal from cities is going well and that there is no urgency to press forward with the referendum. As noted ref A, Vice President Abdul-Mahdi made similar comments in support of delaying the referendum until national elections in January. In addition, UNAMI has confirmed to us that SRSG de Mistura told Parliament Speaker Ayad al-Samarraie on June 10 that it would not be possible to organize a credible referendum by July 30.

¶3. (C) On June 15, the Chairman of IHEC, Faraj al-Haydari, told us it is technically impossible for IHEC to administer a referendum by July 31. IHEC, he stated, needs 60 days from the issuance of a law and budget (Note: A law has not been passed, and al-Haydari told us that no funds have been transferred to IHEC's account. End Note). Al-Haydari made slightly less categorical statements to the press on June 16, telling al-Hayah newspaper that IHEC had not "received any official requests, either from the government or the Parliament, to postpone the referendum until further notice... We are waiting for Parliament's decision concerning the parties and referendum law, and want the procedures for passing the two laws speeded up so that the commission can complete its preparations, which require a long time, longer than 60 days."

¶4. (C) On June 10, Deputy Prime Minister Barhim Salih told Poloff that there was unanimous agreement within the United Iraqi Alliance (the Shi'a political alliance) to postpone the referendum. President Talabani's political advisor told Poloff that the June 11 Political Council for National Security (PCNS) meeting, which was attended by the leaders of all major political blocs (except possibly the Sadrists),

decided to postpone the referendum until after the January 16 national elections. If there is political blowback on that, they might consider holding the referendum at the same time as the election. At a June 16 PCNS meeting (which included the Sadrists), however, participants did not discuss the referendum.

¶ 15. (SBU) On June 16, Aquil Abdul Hussein, a leader of the Sadrist parliamentary bloc, issued a statement in which the Sadrists emphasize their rejection of the Security Agreement and their rejection of the referendum. Abdul Hussein noted that the Sadrists reject the referendum because "the American forces will not withdraw from cities and will not implement Qforces will not withdraw from cities and will not implement the articles of the agreement." He also criticized the government's desire to delay the referendum, stating that the government "fears the Iraqi people would reject the referendum."

¶ 16. (C) Comment: While there are still some rumblings in Parliament that a new law is required to nullify the referendum requirement in the SA Approval Law (ref C), we believe that at this point there is little momentum for a referendum by the July 31 deadline. IHEC and UNAMI have made clear that a credible referendum cannot take place by then, and there appears to be little appetite to press forward with the necessary legislation. The fact that the referendum was not discussed at the June 16 PCNS is probably a good sign, signaling that the issue is not high on leaders' agendas. Nevertheless, it remains politically difficult for politicians to publicly oppose the referendum, particularly Sunni Arabs who included this requirement in the SA approval law as a condition for supporting the SA. Furthermore, postponement of the referendum does not preclude its taking

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place in January (as recommended by the Cabinet in its June 9 statement), and there is a possibility that some MPs will attempt to attach a referendum provision to a national election law. We will continue to follow this issue carefully and focus our engagement on senior political leaders. End Comment.

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